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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,880	04/19/2004	Joel M. Blatt	BAYER 3.0-003 CONT	9880
74144 BAYER	7550	10/08/2008	EXAMINER NGUYEN, BAO THUY L.	
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP 600 South Avenue West Westfield, NJ 07090			ART UNIT 1641	
			MAIL DATE 10/08/2008	
			DELIVERY MODE PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

10/826,880

Applicant(s)

BLATT ET AL.

Examiner

Bao-Thuy L. Nguyen

Art Unit

1641

All participants (applicant, applicant's representative, PTO personnel):

(1) Bao-Thuy L. Nguyen - PTO.

(3) _____.

(2) Steve Brown - App. Rep.

(4) _____.

Date of Interview: 02 October 2008.

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: _____.

Claim(s) discussed: All of record.

Identification of prior art discussed: All of record.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☒ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: We discussed adding positive limitations (i.e. predetermined amount of reagents such that an inversely proportional amount of analytes can be detected) to the device claims in order to obviate the 102 rejection over Fitzpatrick.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

/Bao-Thuy L. Nguyen/
Primary Examiner, Art Unit 1641